

## APPENDIX F

### INDEPENDENT POLICE AUDITOR RECOMMENDATIONS

ISSUES RAISED IN	RECOMMENDATIONS	DISPOSITION	RESOLUTION PERIOD
1993 1st Quarter Report	Create a new system for the classification of complaints	Adopted	1st Quarter, 2nd Quarter, and 1994 Year End Report
	Standardize the definition of Procedural and Informal Complaints	Adopted	2nd Quarter and 1994 Year End Report
	Apply Intervention Counseling to all complaints	Adopted	2nd Quarter and 1994 Year End Report
	Establish procedures to address potential bias within the Internal Affairs Unit	Adopted	2nd Quarter and 1994 Year End Report
	Enact policy to ensure objectivity of the intake process	Adopted	2nd Quarter and 1994 Year End Report
1994 3rd Quarter Report	Establish and comply with a timetable regarding the length of time required for complaint classification and investigation	Adopted	1994 Year End Report
	Implement citizen "Onlooker Policy"	Adopted	1995 Midyear Report
	Standardize investigation writing format	Adopted	1994 Year End Report
	Provide report writing training for "Drunk in Public" cases	Adopted	1994 Year End Report
	Provide chemical testing for "Drunk in Public" cases	Not Adopted	1994 Year End Report
	Send minor complaints to BFO to expedite investigations	Adopted	1994 Year End Report
1994 Year End Report	Establish neutrality in the selection of Formal or Informal complaint process	Adopted	1994 Year End Report
	Interview complainants and witnesses within three months of complaint initiation	Adopted	1994 Year End Report
	Contact complainants at regular intervals through updates and closing letters	Adopted	1994 Year End Report
	Provide a sample of all SJPd Reports to the Police Auditor	Adopted	1994 Year End Report
	Use of mandatory consent forms for consent searches	Not Adopted	1995 Year End Report

ISSUES RAISED IN	RECOMMENDATIONS	DISPOSITION	RESOLUTION PERIOD
1994 Year End Report	Enact policy for collecting physical evidence in use of force cases and immediate investigation by supervisor.	Adopted	1995 Year End Report
	Write complainant's statement in addition to recording and provide copy to complainant.	Adopted	1994 Year End Report
	Handle Informal Complaints through counseling by Field Supervisor and contact with complainant (where desired).	Adopted	1994 Year End Report
	Revise letters sent to complainants to include information about the IPA's role.	Adopted	1994 Year End Report
1995 Midyear Report	Maintain a central log of contacts from potential complainants.	Adopted	1995 Year End Report
	Obtain additional office space for IA.	Adopted	1997 Year End Report
	Require the Police Department to refer complainants to either IA or IPA.	Adopted	1995 Year End Report
	Implement policy to standardize format for officer's interviews.	Adopted	1995 Year End Report
	Create policy to require closer scrutiny of strip searches for misdemeanor arrests.	Adopted	1995 Year End Report
	Revise Off-Duty Employment Practices.	Adopted	1997 Year End Report
1996 Midyear Report	Connect IPA to City of San José's internet network.	Adopted	1997 Year End Report
	Conduct intake investigation of complaints lacking a signed Boland Admonishment.	Adopted	1996 Midyear Report
	Retain name of officer where Boland Admonishment is not signed (but need not place in personnel file).	Not Adopted	
	Require complaint classification to appropriately reflect the nature of the complaint.	Adopted	1996 Midyear Report
	Implementation and design a new computer database system to link IA to IPA.	Adopted	1996 Midyear Report
1996 Year End Report	Implement process for responding to citizen's request for officer identification	Adopted	1997 Year End Report
	Establish Class I and Class II of use of force categories.	Adopted	1996 Year End Report

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1996 Year End Report	Complete Class I Use of Force investigations within 180 days.	Adopted	1996 Year End Report
	Complete all investigations of citizen complaints within 365 days.	Adopted	1996 Year End Report
	Establish IPA's authority to audit relevant DI cases with a nexus to a citizen.	Adopted	1997 Year End Report
1997 Year End Report	Establish a procedure to require officers to identify themselves to civilians in writing.	Adopted	1998 Year End Report
	When forcibly taking a blood specimen from an uncooperative suspect, do so in an accepted medical environment, according to accepted medical practices and without the use of excessive force.	Adopted	1998 Year End Report
	All complaints not covered under a Cardoza exception should be investigated by the IA and reviewed by the Chain of Command within 10 months, allowing the IPA enough time to request additional investigation, if needed.	Adopted	1998 Year End Report
	Time limits and reliable tracking system should be set for every bureau and department involved with the complaint process.	Adopted	1998 Year End Report
1998 Year End Report	Authorize the IPA to review all officer-involved shootings.	Adopted	1999 Year End Report
1999 Year End Report	Increase the IPA staff, to increase communication and personal contact with individual complaints.	Adopted	2000 Year End Report
	Recommended that the City Council grant the IA subpoena power to compel the attendance of civilian witnesses and to compel the production of documentary or physical evidence.	Adopted	2000 Year End Report

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1999 Year End Report	Amend the Municipal Code to define a citizen complaint audit and clarify that an audit includes follow up investigations.	Not Adopted	2000 Year End Report
	It is recommended that the SJPd explore the feasibility of implementing a voluntary mediation program within the next six months.	Adopted	2000 Year End Report
	It is recommended that the SJPd design a training course focused specifically on improving day to day verbal communications when dealing with the public.	Adopted	2000 Year End Report
	It is recommended that in cases where the police erred, i.e. the wrong home was searched, an explanation and/or apology should be given as soon as possible, preferably at the onset.	Adopted	2000 Year End Report
	It is recommended that motorists should be told the reason for the enforcement action such as stop, search, and detention as soon as possible and preferable at the onset.	Adopted	2000 Year End Report
	It is recommended that the SJPd formalize a process whereby an officer is assigned to be the contact person or liaison to family members of people that were killed or died in police custody . This is in effort to assist family and/or provide them with necessary but non-confidential information.	Pending	2000 Year End Report
2000 Year End Report	To assure the public that it is safe to file complaints, the Chief of Police should create policy to prohibit actual or attempts to threaten, intimidate, mislead, or harass potential or actual complainants and/or witnesses.		2001 Year End Report
	The Chief of Police should include in all citizen complaint printed materials wording that clearly states that "Retaliation against complainants is prohibited. The Chief of Police will not tolerate retaliation, and immediate action will be taken if an officer retaliates against a complainant or witness directly or indirectly, " or similar words that emphasize the Chief's position.		

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2000 Year End Report	The San José Police Department Duty Manual does not include a comprehensive Whistleblower policy. By incorporating federal Whistleblower guidelines, the Chief of Police should create a comprehensive WhistleBlower policy for the San José Police Departmen.		2001 Year End Report
	The Chief of Police should continue to develop Ethics and Integrity Training to reflect and align with the ethics expected by the citizens of San José.		2001 Year End Report
	The Chief of Police should expand the fields for data collection to determine how the individual stopped was treated, i.e. was there a search. This should include search information and the factual basis for a stop, and the action taken by the officer as a result of the stop		2001 Year End Report
	Develop a uniform definition of and process for tracking all "Racial Profiling" allegations in all instances where the complainant alleges that his/her vehicle stop or police contact was racially motivated.		2001 Year End Report
	The San José Police Department should expand the platform of the database used by the Internal Affairs Unit to facilitate the recording, tracking, and analysis of "Racial Profiling" and all other types of citizen complaints.		2001 Year End Report
	The San José Police Department's Internal Affairs Unit should formally investigate allegations of officers refusing to identify themselves under an Improper Procedure allegation.		2001 Year End Report
	Continue to identify alternate, less lethal weapons , and make them more readily accessible.		2001 Year End Report
	Provide specialized training in handling suspects armed with non-automatic projectile weapons.		2001 Year End Report
	The Critical Incident Response Team's presence at the scene is very important. Continue to provide special training in identifying and handling suspects with mental illness histories.		2001 Year End Report
	Continue to recruit and hire officers with bilingual skills.		2001 Year End Report
	The Disciplinary Review Panel should document at the conclusion of the hearing how they reached their findings to enable the IPA to conduct an audit.		2001 Year End Report

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